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Pamela Groose
Executive Director

Meeting Notice

**Tentative Agenda
Joint Meeting of
APELSLA Board and
Geology Board**

June 13, 2002

10:30 AM

BOARDWAY STATE OFFICE BUILDING

221 W. HIGH STREET

7th Floor Conference Room

Jefferson City, MO

MO Attorney General's Office

Notification of special needs as addressed by the Americans with Disabilities Act should be forwarded to the State Board of Geologists Registration, P.O. Box 1335, Jefferson City, Missouri 65102 or by calling 573-526-7625. The text telephone for the Deaf or Hard of Hearing is (800) 735-2966 or (800)735-2466 for Voice Relay Missouri.

Except to the extent disclosure is otherwise required by law, the State Board of Geologist Registration is authorized to close meetings, records and votes, to the extent they relate to the following: Sections 610.021(1), (3), (5), (7), (13) and (14), RSMo, and Section 620.010.14(7), RSMo.

The Committee may go into closed session at any time during the meeting. If the meeting is closed, the appropriate section will be announced to the public with the motion and vote recorded in open session minutes.

Posted 06/07/02
8:47 AM



FINAL

**Tentative Agenda
Joint Meeting of
APELSLA Board and
Geology Board**

**June 13, 2002
10:30 AM**

**BOARDWAY STATE OFFICE BUILDING
221 W. HIGH STREET
7th Floor Conference Room
Jefferson City, MO
MO Attorney General's Office**

- 1. WELCOME AND INTRODUCTION OF PARTICIPANTS – Mr. Don Hiatt**
- 2. OVERVIEW AND HISTORICAL PERSPECTIVE ON COMMON PRACTICE
AREA ISSUES BETWEEN ENGINEERS AND GEOLOGIST**
 - **Professional Engineers Perspective – Bruce Wylie or other designated
professional society spokesperson**
 - **Registered Geologists Perspective – AIPG and AEG Spokespersons**
 - **Missouri Department of Natural Resources Perspective – Mimi Garstang or other
designated spokesperson**
 - **Attorney Generals Office Perspective – GRB and APELSLA Asst. AG's**
- 3. DISCUSSION OF DRAFT MEMORANDUM OF UNDERSTANDING
BETWEEN THE TWO BOARDS.**
- 4. DISCUSSION OF COMMON PRACTICE AREAS AND ISSUES.**
- 5. DEVELOPMENT OF STRATEGY FOR ADDRESSING COMMON
PRACTICE AREA ISSUES.**
- 6. ACTION ITEMS**

FINAL

MISSOURI BOARD OF GEOLOGIST REGISTRATION

MOTIONS TO CLOSE

Closed Motion #2, for the purpose of discussing general legal actions, causes of action or litigation's and any confidential or privileged communications between this agency and its attorney
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Notification of special needs as addressed by the Americans' with Disabilities Act should be forwarded in writing and mailed to the Missouri Board for Geologist Registration, 3605 Missouri Boulevard, Jefferson City, MO 65109 or by calling (573)526-7625 to ensure availability of accommodations. The text telephone number for the hearing impaired is 800-735-2966.

FINAL

**Tentative Agenda
Joint Meeting of
APELSLA Board and
Geology Board**

June 13, 2002

10:30 AM

BOARDWAY STATE OFFICE BUILDING

221 W. HIGH STREET

7th Floor Conference Room

Jefferson City, MO

MO Attorney General's Office

CLOSED SESSION AGENDA

Approval of Closed Session Agenda	
Purpose of discussing general legal actions, and any confidential or privileged communications between this agency and its attorney	

**Joint Meeting of Geology and APELSLA Board
BROADWAY STATE OFFICE BUILDING
221 WEST HIGH STREET,
7TH FLOOR CONFERENCE ROOM
JEFFERSON CITY, MO**

June 13, 2002 -- OPEN MINUTES

The open session of the joint meeting of the Geology Board and APELSLA Board was called to order by Don Hlatte, Mediator, at 10:30pm on June 13, 2002, at the Broadway State Office Building, 221 West High Street, 7th Floor Conference Room, Jefferson City, Missouri.

Participants:

Don Hlatte
John Howard, Geology Board
Larry Hendren, Geology Board
Pam Goose, Executive Director, Geology Board
Roxy Brockman, Clerk IV, Geology Board
Karen Hess, Asst Attorney General
Jim Mathis, APELSLA Board
Promod Kumar, APELSLA Board
Josephine Emerick, APELSLA Board
Jim Anderson, APELSLA Board
Judy Kempker, Executive Director, APELSLA Board
Sandy Robinson, APELSLA Board
Keith Halcomb, Asst Attorney General
Brian Rabineau, Asst Attorney General
Mimi Garstang, DNR
Shelly Wood, Asst Attorney General
Jane Rackers, Asst Attorney General
Bruce Wylie, CECMO/MSPE
Brad Parrish, CECMO/MSPE
John V. Huss, MSPE
Martha Kopper, Association of Engineering Geologists
John Bognar, AIPG-MO
David Shorr, Lathrop & Gage
Thomas Gredell, P.E., Gredell Engineering
Mike Carlson, Gredell Engineering
Mark Snyder, Black & Veatch/MSPE

Welcome and Introductions of participants:

Each attendee introduced themselves and who they were representing.

Overview and historical perspective on common practice area issues between engineers and geologists:

Four main goals / outcomes of the meeting were identified.

1. Department of Natural Resources to drop the Registered Geologist only policy adopted in 1998.
2. Identify the common areas of practice between the two professions.
3. Geologist and Engineers Boards agree to work together to keep this issue out of the legal arena.
4. Work with professional organizations, including DNR, to resolve common practice areas.

David Shorr, an attorney from Jefferson City, Missouri, representing the Consulting Engineers Counsel of Missouri (CECMO) and the Missouri Society of Professional Engineers (MSPE), made a statement, a copy of which is attached as Attachment A.

John Bogner, representing the American Institute of Professional Geologists, Missouri Section, made a statement in regard to the history of the Geologist Registration Act. A copy of his document titled *A Brief History of the Geologist Registration Act and Sequence of Events* is attached as Attachment B.

Martha Kopper, representing the Association of Engineering Geologists – St Louis section also gave a brief statement, which is attached as Attachment C.

Mimi Garstang, representing the Missouri Department of Natural Resources gave a statement, which is attached as Attachment D.

Jane Rackers, Assistant Attorney General, gave a brief statement which is attached as Attachment E.

A copy of a document furnished by MSPE with a Summary of CECMO/AIPG Coordination Meeting held on Friday, September 19, 1997.

Discussion of Common Practice Areas and Issues:

The group discussed the history which lead to the joint meeting as well as the common practice areas and issues.

A copy of the Geologist Registration Act was distributed and the following sections were discussed: 256.456.3 Geology Work to be performed under supervision of registered geologist and 256.471.3 Exempt Activities.

A copy of Proposed Statutory Language as Substitute for 256.471.3 RSMo 2000 June 13, 2002 was distributed to the group for review and discussion. This document includes language from other states' Geologist Registration Acts in regard to engineering exemptions.

A copy of a General Survey of State Geology Laws and Engineering Exemptions was distributed for review. This document surveyed all 50 states in regard to their engineering exemptions.

A copy of the California Board of Registration for Professional Engineers and Land Surveyors Policy Resolution regarding fields of expertise for Geologists and Civil Engineers was distributed for review.

Discussion of Draft Memorandum of Understanding:

A copy of a draft Memorandum of Understanding between CECMO, MSPE, AEG and AIPG – MO was distributed for review.

A copy of a Memorandum of Understanding between the Wyoming State Board of Registration for Professional Engineers and Professional Land Surveyors and the Wyoming Board of Registration for Professional Geologists was distributed for review.

The first draft of the Memorandum of Understanding was reviewed by the group and is attached as Attachment F.

After discussion and revision the final draft of the Memorandum of Understanding was agreed upon by all groups present and is attached as Attachment G.

It was recommended by Mr. Hiatte that the final draft of the Memorandum of Understanding be shared with the boards and organizations and that as the document is reviewed and accepted, the organizations will forward the signed document to the Geology Board.

The meeting was adjourned at 2:40pm.

Pamela Groose

Executive Director

8.29.2002

Date Board approved

TESTIMONY BEFORE THE
BOARD OF PROFESSIONAL ENGINEERS, ARCHITECTS
AND LAND SURVEYORS
AND THE BOARD OF GEOLOGISTS REGISTRATION

June 13, 2002

Good morning, my name is David Shorr. I am an attorney in Jefferson City and I representing the Consulting Engineers Counsel of Missouri and the Missouri Society of Professional Engineers. These are the two largest associations representing the interests of the professional engineering community in the State of Missouri.

For hundreds of years, professional engineers have sought quality experts to assist them in providing better and more creative engineering solutions to improve our daily lives. The use and pursuit of experts in land forms, strata, hydrology, and other interests generally associated with the science of geology have long been admired. To enhance and perfect the art of engineering, many engineering specialties specifically include this area of expertise in their training and requirements. For hundreds of years, engineers have evaluated, analyzed, and addressed land form structures and strata in the perfection of their craft.

In the 90's, the professional geologic community expressed the desire to establish criteria to protect the public and preserve their speciality from less scrupulous individuals. We share that concern in our own speciality and, as such, supported the creation of registered geologists in this state to enhance and improve the profession.

Never in our wildest dreams while negotiating with our fellow professionals would we expect to have to be sitting here today arguing the action to protect our professional and competitive interests.

In the past two years, the Department of Natural Resources has interpreted the registered geologist statute far differently than ever intended, in our opinion, by the General Assembly. By policy position, they have excluded engineers from their ability to perform their traditional functions and limited the practice of engineering as it applies to land forms, hydrology and structures of the earth. Needless to say, significant portions of the practice of engineering are violated by the position taken by the Department. Many members of the engineering profession will find their practice compromised or lost if the present interpretations are said to hold.

As I indicated, we do not believe that was the intention of the General Assembly nor do the statutes read in that manner.

To that end and for purposes of discussion today, we believe it is fair to say that there is a genuine overlap in the practice of these two specialities. It is our present position that the General Assembly intended this to be accounted for.

Rather than waste valuable time and energy on working on how we can disagree, we believe that it is in everyone's interest in this discussion to focus on this overlap and assure that both the practice of engineering and the practice of professional geology are enhanced, recognizing the intent of professional registration is to provide assurance to the public of quality training and education, not exclusivity in turf.

We believe it is incumbent upon both boards to appropriately recognize both professions' skills and fairly set limiters to do the over-arching intention of the statutes – protection of the public from lack of training and expertise.

We would like to work with both boards with the hopes a sufficient common ground exists to avoid impasse. We are interested in participating in making that vision come true.

We would also suggest as a direct result of the actions the Department of Natural Resources, this process cannot be protracted. The DNR has expressed a willingness to maintain the status quo during your dialogue. The Associations which I represent are also willing to maintain a dialogue while you pursue common grounds to protect the interests of the public.

Rest assured, however, that the engineers in this state will take all actions necessary to assure their right to practice engineering as has been traditionally provided by professionals in this state. We are also prepared to ensure that the unauthorized practice of our craft will not take place. We look forward to working with the boards to assure that a high quality of professionalism is maintained in this state.

A Brief History of the Geologist Registration Act and Sequence of Events

1993 – 1994

Legislative Events:

- Late 1993 - Draft of Geologist Registration Bill in final form accomplished.
- 1994 Senators Howard and Libier sponsored Senate Bill No, 649.
- May of 1994, Passed Senate unanimously and House of Representative with only minor (two or three?) opposed votes.
- July/August 1994 Governor Carnahan signed the bill into law, known as the Geologist Registration Act (GRA).

Engineering Evaluation and Comments During Process:

- Formal Discussions not held between Geologists and Engineers during GRA draft process.
- Engineers did not testify at Senate Committee hearing.
- Engineer's offered opposed testimony at House of Representatives Committee Hearing.

Intended Spirit of the GRA:

- Protection of the public's health and safety and welfare, by allowing only those persons qualified to do geologic interpretation of geologic data, where the public's health or safety or welfare is concerned.
- The authors of GRA intentionally did not require a degree in geology, so that any person with the minimum academic geologic course work (assuming sufficient required experience) could become registered and therefore practice under the authority and enforcement (if needed) of the Geologist Registration Board (GRB).

GRA – does spell out exemptions relating to data collection for engineering application and other practices. The Intentions of the Authors of the GRA in considering exemptions for practice:

- had NO objective to seize work from engineer's or other professions.
- were purposely specific, only enough to demonstrate what constitutes collection of geologic data for engineering application,
- were cognizant this exemption for engineering application was incomplete,
- forethoughtful that other needed exemptions would surface in the future, and
- absolutely never intended that any person without minimum qualifications would receive a blanket "practice" exemption, regardless of that person's profession, stature or experience.

1994-1997 - GRB is established and administrative/ registration process conducted.

1996 GRA amended essentially to allow practice for two or three individuals with 10 years of geologic experience, but not education – whom also allied during the first grandfathering period.

Professional Organizations Form the Geologic and Engineering Advisory Committee

- GEAC forged a Memorandum of Understanding to debate issues, resolve issues and communicate the resulting position to government and others.
- Issue Number 1 – Underground Storage Tanks
- Two drafts of a position paper were postulated but not ratified by the members of GEAC. The concept included the requirement of a RG or PE to oversee aspects of UST and LUST Closure. The issue was tabled, there was a hiatus of activity related to GEAC.

Critical Events Leading to CECMO Legislative Action

- Director Mahfood orders the enforcement of the GRA.
- MDNR began rejecting some documents not signed and sealed by RG.
- New Draft UST/LUST guidance – stated that the UST/ LUST closure required an RG seal.
- CECMO – objected to this position and practice of rejection of PE seals.
- Legislation filed to exempt P.E.s from the GRA. (HB 1689)

House Bill 1689 (and predecessor bills) Activity

- Rushed and hasty negotiations among engineers and geologists occurred - Results of negotiations rejected by geologic populace.
- House of Representatives Hearings – CECMO and Sponsoring Representative Treadway are upset (not very happy) by unexpected opposition from geologic community in committee hearing. Bill passes committee, and House.
- Immediately prior to the Senate Hearing the engineering community agreed with the geologic community that the effort to understand and negotiate the common practice areas should be done away from the legislative process. To prove their intent the engineers agreed to drop language in HB1689 in exchange for the geologists asking Director Mahfood to place a moratorium on rejecting PE signatures on UST closure documents, until the Boards (GEO and APELS) would/could facilitate a settlement. This agreement was discussed with Representative Treadway and Senator Yeckel, both viewed the development as a very positive step toward resolution.
- The geologist did ask Mahfood for a moratorium, however in his judgment, could not comply with the request. The engineers have held their part of the pact by requesting the language be struck, and so did the geologists by asking Mahfood for a moratorium.
- Bruce Willy (CECMO) and John Bognar (AIPG/AEG) testified at the Senate committee hearing to Senator Yeckel of their intent to formally discuss/negotiate this issue with GR and APELS Boards to solve the issue with input from the

relevant Professional Organizations as critical stakeholders, and requested that all language related to the GRA amendment be stricken from HB 1689.

- Representative Treadway and Senator Yeckel work together and eliminated the GRA language from HB 1689.
- Senator Yeckel and Director Mahfood met to discuss a moratorium on PE seals being rejected for UST work, but were not able to come to an agreement.

Note: In a meeting with John Bognar and Senator Yeckel on Memorial Day, the Senator suggested that she would attend the June 13 meeting, even though it is her wedding anniversary (implying, it is important to her that this be resolve outside the legislative process). I suggested, her attendance would not be requested, but thanked her for her offer to attend.

Here we are today – June 13, 2002.

Respectfully Submitted,
AIPG - Missouri


John L. Bognar CPG

Transcribed statement given by Martha Kopper at the Joint meeting of the Geologist Registration and APELSLA Boards on June 13, 2002.

My name is Martha Kopper and I represent the St Louis section of the Association of Engineering Geologists. First off, I will say that I also have a statement from Greg Hempen, he was not able to be here. So, I am essentially going to read it verbatim. Greg Hempen's Impressions fall into a couple of main categories. He felt that the long term objective and for this particular meeting should be clearly established and from what I can observe that it is being established. The actions to achieve these goals can only be accomplished when the objectives are understood by all attending. Greg doubts that the legislation will clearly satisfy the objectives of some in attendance. There were in the past half year, issues of professionals sealing certain work, overlap of duties and capacity to perform functions involving public health, safety and welfare and he indicates that these need to be clearly defined and the objectives need to be defined. And secondly he states that engineers.....I don't know if you are aware but he has an RG and a PE. So, he is speaking on behalf of that experience and background. Secondly, engineers have a specified path to registration. Engineering students have required coursework, with certification of the coursework prospective engineers may take a first competency exam. Successfully completing the first exam and gaining the required experience under another registered engineer the apprentice may take a concluding exam. Once registered the engineer may engage in any activities that the individual deems appropriate.

A similar path can be described for geologists seeking geologic registration. The stark contrast develops with comparison of coursework, examination and experience. Registered Geologists often have more engineering coursework and their examination questions included more applied science than would be true of most geo technical engineers for geologic coursework and geologic examination coverage.

In fact many engineering students graduate with 3 or few hours in actual geologic courses. The overlap of duties therefore becomes distinctive between engineering and geologic tasks. If registered engineers are going to be accepted in performing overlapping geologic duties, will registered geologists then be accepted to perform overlapping engineering duties? That's Greg's comments.

I would also like to echo John Bogner's comments. I didn't want to reiterate on the excellent summary that he provided. I am a registered geologist and like I say I do represent AEG - St Louis section. I believe that we are definitely on a path of concurrence and the reason that I am here is to assist in developing what I propose - a matrix in which we present the disciplines on one side and the engineers and geologists on the other. What I see coming out of this is a recommendation that we would propose and I would also recommend that we don't push this through, because this is going to be I guess you could say set in stone from here until whenever. It would be a real effort for us to get back together. I would just like to see this thoroughly thought through and I would recommend that if we don't get our objectives accomplished today that we meet an additional time to get these things finalized. I would also recommend that once this

matrix has been approved at some point, that we then propose this to both boards and the boards set up, I guess you could say, an overlap where both boards have established and clearly identified and defined this overlap and then individuals from each community are then registered on this overlap. Thank you.

Transcribed statement given by Mimi Garstang at the Joint meeting of the Geologist Registration and APELSLA Boards on June 13, 2002.

I know I actually wear a few hats but my comments are reflecting comments from Department of Natural Resources. Most of you probably know that MDNR employs a lot of professionals, not just geologists, but we employ engineers, we employ land surveyors, we employ geologists, we employ accountants. So, we are not looking at this from one perspective. DNR believes that Professional Registration is good and that it does help protect the public from poor quality work products. DNR supports professional accountability and the ability to hold people responsible for the work they do and especially when it affects human health, safety and welfare. MDNR supports the resolution of conflict between professions through their professional organizations and boards working together in good faith. If legislation is necessary it should be through a consensus process.

The practitioners and stakeholders that are actually out in the field doing the work need to be part of the process. DNR supports an open and inclusive process that allows everyone affected to present their position in an effort to derive the best solution possible.

We believe there is an overlap in the areas of training and expertise for some geologists and engineers. Those areas should be defined and a legally acceptable solution must be sought to allow qualified individuals to practice their profession. Professional Boards must enforce their respective laws and police their practitioners. We must not lower the bar for people allowed to practice geology or engineering. Proof of proficiency is essential before any individual is allowed to practice in a profession. DNR will refer individuals to the appropriate registration board if we encounter individuals practicing without the pertinent license or registration. It's also been our policy to make sure that the appropriate documents have been properly stamped or sealed. So we know that they have been prepared by a qualified individual prior to our staff completing our review of those documents.

DNR believes that the cost of including an RG, a PE or an RLS (Registered Land Surveyor) overall is an outstanding value and consistently reduces overall project cost. The Geologist Registration Act is a lot newer than the engineering law and since the Geologist Registration Act passed DNR has been working to implement the law in our diverse programs and I spoke about this a little earlier. That process has not been simple and it's taken a lot longer than we would have hoped that it would have. We actually pulled together people from all the programs within DNR and had them talk through how documents come in into the program, how documents are generated in the program and what do we need to do to be into compliance with the new law, the Geologist Registration Act. We did not do that in a vacuum, we sought legal counsel, talked to Board attorneys and I think that too many people have tried to say this is just a DNR policy. That really does concern me because in our viewpoint and the legal counsel that we have received, this is what the law is telling us we have to do. And I'm not sure if everyone realizes within the rules for the Geologist Registration Act, that

there is a rule that says an RGs license can be in jeopardy if they don't report the fact that a document or work has been done that should have been done by an RG and has not. And that kind of generated our comments back to consulting firms that in our opinion the way we've been told the law reads that needs to be prepared by an RG so that that company has an opportunity maybe it was any way and they didn't know that they needed to stamp or seal it. This is no different than what we do in our division with say a document that has a dam design and it does not have a PE stamp or seal on it. It goes back the firm and they get an opportunity to make it right and return it back to us.

So that's one thing that you asked about early on, what are some of your concerns. That is one of my concerns because I think the Department has really been asking what the law says and trying to follow the law.

Transcribed statement by Jane Rackers, Assistant Attorney General at the Joint Meeting of the Geologist Registration and APELSLA Boards on June 13, 2002.

"Don, I think you said it best earlier in terms of our role at this meeting, as Assistant Attorney Generals, when you said you hadn't heard from the lawyers and quite frankly I think that's a big part of what our role is today. And that is to stay out of the way of those of you who are experts in this area and those of you who charged with making policy for these professions in this state. We're not qualified and we are not expert in that area. What we can do is, we can answer questions to help you figure out how to get to the place you all agree you want to go. We can tell you whether you can do it by rule or whether you can do it by statute or whatever. But it's not our job and we are not qualified and we are not charged with the responsibility of making policy decisions and we leave that to you. However we can assist in the legal parameters we'll do it. Otherwise we will let you do the heavy lifting and step in when it is needed."

DRAFT

Memorandum of Understanding

We, the undersigned, agree to work together in good faith to resolve the issues related to overlapping practice areas between registered geologists and licensed engineers. We recognize that by working together to address these issues, we will best serve the needs and goals of the public, our respective professions, licensees, members, and constituents.

[OPTIONAL LANGUAGE: This Memorandum of Understanding is a non-binding interagency communication which does not substantially affect the legal rights of the public.]

Representative from Board for Architects, Professional Engineers,
Professional Land Surveyors, and Landscape Architects

Representative from State Board of Geologist Registration

Representative from Missouri Society for Professional Engineers

Representative from the Association of Engineering Geologists

Representative from the American Institute of Professional Geologists,
Missouri Section

Attachment F

DRAFT

Memorandum of Understanding

We, the undersigned, agree to work together in good faith to resolve the issues related to overlapping practice areas between registered geologists and licensed engineers. We recognize that by working together to address these issues, we will best serve the needs and goals of the public, our respective professions, licensees, members, and constituents.

The Board of Geologist Registration and the Board for Architects, Professional Engineers, Professional Land Surveyors and Landscape Architects acknowledge that there is an overlap in expertise between certain geologists and engineers. The Boards agree section 256.471.3 will be interpreted to mean that engineers will be exempt from geologist registration requirements because the APELSLA will discipline their practitioners as appropriate in consultation with the Board of Geologist Registration. It is further agreed that matters of professional competency are within the statutory and/or regulatory authority of the respective boards.

Representative from Board for Architects, Professional Engineers,
Professional Land Surveyors, and Landscape Architects

Representative from State Board of Geologist Registration

Representative from Missouri Society for Professional Engineers

Representative from the Association of Engineering Geologists

Representative from the American Institute of Professional Geologists,
Missouri Section

Representative from the Department of Natural Resources

Consulting Engineers Council of Missouri

MOTIONS

1. INVESTIGATIONS / COMPLAINTS / AUDITS

I move that this meeting be closed, and that all records and votes, to the extent permitted by law, pertaining to and/or resulting from this closed meeting be closed under section 610.021 subsection (14) and section 620.010.14 subsection (7) RSMo for the purpose of discussing investigative reports and/or complaints and/or audits and/or other information pertaining to a licensee or applicant.

2. LEGAL ACTIONS / LITIGATIONS / PRIVILEGED COMMUNICATIONS

I move that this meeting be closed, and that all records and votes, to the extent permitted by law, pertaining to and/or resulting from this closed meeting be closed under section 610.021 subsection (1) RSMo for the purpose of discussing general legal actions, causes of action or litigation and any confidential or privileged communications between this agency and its attorney.

3. DISCIPLINE

I move that this meeting be closed, and that all records and votes, to the extent permitted by law, pertaining to and/or resulting from this closed meeting be closed under section 610.021 subsection (1) RSMo for the purpose of deliberation on discipline.

4. PROMOTING / HIRING / DISCIPLINING / FIRING EMPLOYEES

I move that this meeting be closed, and that all records and votes, to the extent permitted by law, pertaining to and/or resulting from this closed meeting be closed under section 610.021 subsection (3) RSMo for the purpose of discussing hiring, firing, disciplining, or promoting an employee of this agency.

5. APPLICATIONS

I move that this meeting be closed, and that all records and votes pertaining to and/or resulting from this closed meeting be closed under section 610.021 subsection (14) and section 620.010.14 subsection (7) RSMo for the purpose of discussing applicants for licensure.

6. EMPLOYEE PERFORMANCE RATINGS

I move that this meeting be closed, and that all records and votes pertaining to and/or resulting from this closed meeting be closed under section 610.021 subsection (13) RSMo for the purpose of making performance ratings pertaining to individual employees.

7. EXAMINATION MATERIALS

I move that this meeting be closed, and that all records and votes pertaining to and/or resulting from this closed meeting be closed under section 610.021 subsection (7) RSMo for the purpose of discussing and/or reviewing testing and examination materials.

8. DIAGNOSIS / TREATMENT OF DISCIPLINED LICENSEES

I move that this meeting be closed, and that all records and votes, to the extent permitted by law, pertaining to and/or resulting from this closed meeting be closed under section 610.021 subsection (5) RSMo for the proceedings required pursuant to a disciplinary order concerning medical, psychiatric, psychological, or alcoholism or drug dependency diagnosis or treatment of specific licensees.

9. CLOSED MINUTES

I move that this meeting be closed, and that all records and votes pertaining to and/or resulting from this closed meeting be closed, for the purpose of reviewing and approving the closed minutes of one or more previous meetings under the subsections of 610.021 which authorized this agency to go into closed session during those meetings.